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OSHA LIANG L.L.P.
1221 MCKINNEY STREET
SUITE 2800
HOUSTON TX 77010

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SEP 26 2008

In re Patent No. 7,295,501
Issued: November 13, 2007
Application No. 10/625,005
Filed: July 23, 2003
Dkt. No.: 04536/019001

: **OFFICE OF PETITIONS**
:
: PATENT TERM ADJUSTMENT
:
:

This is a decision on the "REQUEST FOR RECONSIDERATION OF PATENT TERM ADJUSTMENT PURSUANT TO 37 C.F.R. § 1.705(d)," filed December 17, 2007.

The application for patent term adjustment ("PTA") under 37 CFR 1.705(d) is GRANTED.

The above-identified application matured into U.S. Patent No. 7,295,501 on November 13, 2007. The instant request for reconsideration was timely filed in accordance with 37 CFR 1.705(d). The patent issued with a PTA of 599 days. Patentee argues that the adjustment correct adjustment at the time of issuance is 642 days.

At the time of allowance, the application was entitled to an adjustment of 666 days. The adjustment was errantly reduced 43 days in connection with the issue fee payment allegedly received September 13, 2007. A review of the record reveals that the issue fee payment was submitted June 20, 2007 via USPS Express Mail in accordance with 37 CFR 1.10.

In view of the submission of the issue fee on June 20, 2007, the patent is entitled to an additional adjustment of 24 days in accordance with 37 CFR 1.702(a)(4). The adjustment commenced October 21, 2007, the day after the date that is four months after the date the issue fee was paid, and ended November 13, 2007, the date that the patent issued.

Accordingly, at the time of issuance, the application was entitled to a patent term adjustment of 666 days.

Patentee's deposit account has been charged the required PTA application fee of \$200.00, as authorized.

This application file will be forwarded to the Certificate of Corrections branch for issuance of a certificate of correction to indicate that the term of this patent is extended or adjusted under 35 U.S.C. 154(b) by 666 days.

Telephone inquiries specific to this matter may be directed to Petitions Attorney Alesia M. Brown at (571) 272-3205.

Kery Fries

Kery Fries
Senior Patent Attorney
Office of Patent Legal Administration
Office of Deputy Commissioner
for Patent Examination Policy

Enclosure: Draft Certificate of Correction

UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION

PATENT 7,295,501 B2
DATED November 13, 2007
INVENTOR(S) Ono

It is certified that error appears in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

On the cover page,

[*] Notice: Subject to any disclaimer, the term of this patent is extended or adjusted under 35 USC 154(b) by 599 days

Delete the phrase "by 599 days" and insert – by 666 days–

Day : Friday
Date : 9/26/2008**PALM INTRANET**

Time : 09:57:00

PTA Calculations for Application: 10/625005

Application Filing Date:	07/23/2003	PTO Delay (PTO):	642
Issue Date of Patent:	11/13/2007	Three Years:	0
Pre-Issue Petitions:	0	Applicant Delay (APPL):	43
Post-Issue Petitions:	0	Total PTA (days):	666
PTO Delay Adjustment:	67		

File Contents History

Number	Date	Contents Description	PTO	APPL	START
63	09/26/2008	ADJUSTMENT OF PTA CALCULATION BY PTO	67		
58.5	10/24/2007	PTA 36 MONTHS			
58	11/13/2007	PATENT ISSUE DATE USED IN PTA CALCULATION			
57	10/05/2007	EXPORT TO FINAL DATA CAPTURE			
56	10/04/2007	DISPATCH TO FDC			
55	09/21/2007	MAIL-PETITION TO REVIVE APPLICATION - GRANTED			
54	09/13/2007	PETITION ENTERED			
53	09/20/2007	APPLICATION IS CONSIDERED READY FOR ISSUE			
52	09/13/2007	ISSUE FEE PAYMENT VERIFIED		43	45
51	09/20/2007	WITHDRAW PUBLICATION/PRE-EXAM ABANDON			
50	09/13/2007	ISSUE FEE PAYMENT RECEIVED			
49	08/24/2007	MAIL ABANDONMENT FOR FAILURE TO PAY ISSUE FEE			
48	08/24/2007	ABANDONMENT FOR FAILURE TO PAY ISSUE FEE			
47	05/31/2007	FINISHED INITIAL DATA CAPTURE			
46	05/04/2007	EXPORT TO INITIAL DATA CAPTURE			
45	05/01/2007	MAIL NOTICE OF ALLOWANCE			
44	04/28/2007	NOTICE OF ALLOWANCE DATA VERIFICATION COMPLETED			
43	03/20/2007	ISSUE REVISION COMPLETED			
42	03/21/2007	ALLOWED CASE RETURNED TO THE EXAMINER FOR CLERICAL PROCESSING			
41	03/20/2007	DOCUMENT VERIFICATION			

40	03/15/2007	NOTICE OF ALLOWABILITY			
39	02/16/2007	MAIL EXAMINER INTERVIEW SUMMARY (PTOL - 413)			
38	01/25/2007	EXAMINER INTERVIEW SUMMARY RECORD (PTOL - 413)			
37	02/12/2007	DATE FORWARDED TO EXAMINER			
36	01/29/2007	AMENDMENT SUBMITTED/ENTERED WITH FILING OF CPA/RCE			
35	02/12/2007	DATE FORWARDED TO EXAMINER			
34	01/29/2007	REQUEST FOR CONTINUED EXAMINATION (RCE)			
33	02/12/2007	DISPOSAL FOR A RCE/CPA/129 (EXPRESS ABANDONMENT IF CPA)			
31	01/29/2007	WORKFLOW - REQUEST FOR RCE - BEGIN			
29	11/06/2006	MAIL FINAL REJECTION (PTOL - 326)			
28	11/02/2006	FINAL REJECTION			
27	10/03/2006	DATE FORWARDED TO EXAMINER			
26	09/27/2006	RESPONSE AFTER NON-FINAL ACTION			
25	06/27/2006	MAIL NON-FINAL REJECTION	642		-1
24	06/22/2006	NON-FINAL REJECTION			
23	07/23/2003	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
22	12/09/2004	INFORMATION DISCLOSURE STATEMENT CONSIDERED			
21	07/23/2003	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
20	12/09/2004	INFORMATION DISCLOSURE STATEMENT (IDS) FILED			
19	06/21/2006	CASE DOCKETED TO EXAMINER IN GAU			
18	03/21/2006	CASE DOCKETED TO EXAMINER IN GAU			
17	03/14/2006	CASE DOCKETED TO EXAMINER IN GAU			
16	03/14/2006	CASE DOCKETED TO EXAMINER IN GAU			
15	11/11/2005	CASE DOCKETED TO EXAMINER IN GAU			
14	06/08/2005	CASE DOCKETED TO EXAMINER IN GAU			
12	07/22/2004	CASE DOCKETED TO EXAMINER IN GAU			
11	07/21/2004	CASE DOCKETED TO EXAMINER IN GAU			
10	04/07/2004	IFW TSS PROCESSING BY TECH CENTER COMPLETE			
9	03/19/2004	APPLICATION RETURN FROM OIPE			
8	03/22/2004	APPLICATION IS NOW COMPLETE			

7	03/19/2004	APPLICATION RETURN TO OIPE			
6	03/18/2004	APPLICATION DISPATCHED FROM OIPE			
5	03/19/2004	APPLICATION IS NOW COMPLETE			
4	10/27/2003	CLEARED BY L&R (LARS)			
3	10/09/2003	INTENTIONALLY REFERRED BY OIPE OR L&R			
2	09/02/2003	IFW SCAN & PACR AUTO SECURITY REVIEW			
1	07/23/2003	INITIAL EXAM TEAM NN			

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EXPLANATION OF PTA CALCULATION

EXPLANATION OF PTE CALCULATION

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